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6 Trustee in Bankruptcy

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 | In re

Case No. 17-50794 MEH
Chapter 7
Hon. M. Elaine Hammon

SERGIO ROLDAN
aka SERGIO RAFAEL ROLDAN
AND
ADRIANA M BUENAVENTURA
aka ADRIANA MARIA LONDONO.

Debtors.

**EX PARTE APPLICATION FOR
AUTHORITY TO PAY REASSESSED
PROPERTY TAXES
[1050 Ortega Circle, Gilroy, California]**

[No Hearing Requested]

18 TO THE HONORABLE M. ELAINE HAMMOND, UNITED STATES BANKRUPTCY
19 JUDGE:

21 Kari Bowyer, the duly appointed and acting Chapter 7 Trustee of the bankruptcy estate of
22 Sergio Roldan and Adriana Buenaventura (“Debtors”) files this ex parte application for authority to
23 pay a supplemental property tax assessment from Santa Clara County with regard to certain real
24 property commonly referred to as 1050 Ortega Circle, Gilroy, California (“Property”). The
25 County’s increased assessment is in the amount of \$5,299.86 (“Tax Bill”).

26 On May 2, 2019, the Court authorized the Trustee to sell the Property for \$590,000 to third-
27 party purchasers (“Sale Order”). *See*, Docket 50. The Trustee’s sale notice to creditors (which
28 ultimately resulted in the Sale Order), estimated property tax arrears at \$2,500. The sale of the

1 Property closed on May 15, 2019.

2 The Trustee understands that the Tax Bill is a result of an increased valuation for the Property
3 after the Trustee acquired the Property through a non-judicial foreclosure sale. According to
4 representatives of Santa Clara County, the Tax Bill is the result of the County's reassessment of the
5 Property following the foreclosure sale. The reassessment occurred on or near the same date that
6 the Trustee closed the sale of the Property to the buyer.

7 The County has declined to withdraw or reduce the reassessed obligation. The Trustee
8 understands that the estate is obligated to pay these administrative taxes to the County. A copy of
9 the Tax Bill that the Trustee received from the County is attached as Exhibit A to the Declaration
10 of Kari Bowyer in Support of Ex Parte Application for Authority to Pay Reassessed Property Taxes
11 [1050 Ortega Circle, Gilroy, California]. The Trustee seeks authority to pay the entire assessment
12 prior to June 30, 2019 in order to avoid penalties and interest that the County will apply to the
13 obligation if paid after that date.

14 WHEREFORE the Trustee prays for entry of an order authorizing her to pay the Tax Bill.

15 DATED: June 4, 2019

16 RINCON LAW LLP

17 By: /s/ Gregg S. Kleiner
18 GREGG S. KLEINER
19 Counsel for KARI BOWYER,
20 Trustee in Bankruptcy

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